



Attorney Docket: 203-589CIP CON FWC CON III
(1273CIP CON FWC CON III)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: David A. Nichols et al. EXAMINER: Unassigned
SERIAL NO.: 10/037,977 GROUP UNIT: Unassigned
FILED: November 9, 2001 DATED: March 19, 2002
FOR: **ARTICULATING ENDOSCOPIC SURGICAL APPARATUS**

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed in the attached form PTO-1449 is brought to the attention of the Examiner. Each of these documents was previously cited in one or all of the following U.S. patent applications: Application Serial Nos. 09/417,535, 09/096,380, 08/777,115, 08/360,015, 07/925,496, and 07/834,687. All of these applications have been relied upon for an earlier effective date under 35 U.S.C. § 120. Copies of some of the listed items have been enclosed for the Examiner's convenience.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on March 19, 2002.

Dated: March 19, 2002


Christopher G. Trainor

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

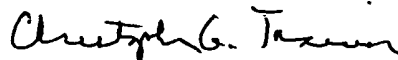
- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).
- ☐ Enclosed by check is the petition fee of \$180.00. 37 C.F.R. §1.17(i)(1))
- ☐ Please charge the \$180.00 petition fee to Deposit Account No. 04-1121.

- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 50-2140.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or §1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-2140. Also, in the event any extensions of time for responding and/or a petition under 37 C.F.R. §1.17(i)(i) are required for the pending application(s), please treat this paper as a petition to extend the time and/or enter this Information Disclosure Statement as required and charge Deposit Account No. 50-2140 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance.

Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



Christopher G. Trainor
Reg. No. 39,517
Attorney for Applicant(s)

CARTER, DELUCA, FARRELL & SCHMIDT, LLP
445 Broad Hollow Road
Suite 225
Melville, New York 11747
(631) 501-5700

CGT:sf

Form PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.:

SERIAL NO.:

203-589CIP CON FWC CON III

10/037,977

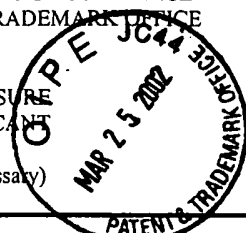
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICANTS: David A. Nichols et al.

(Use several sheets if necessary)

FILING DATE: November 9, 2001

GROUP ART UNIT: Unassigned



U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,782,859	7/21/98	Nicholas et al.			
	5,383,888	1/24/95	Zvenyatsky et al.			
	5,245,987	9/21/93	Redmond et al.			
	5,237,985	8/24/93	Hodgson et al.			
	5,235,966	8/17/93	Jamner			
	5,195,505	3/23/93	Josefsen			
	5,178,133	1/12/93	Pena			
	5,174,300	12/29/92	Bales et al.			
	5,135,524	8/4/92	Bonnet			
	5,131,382	7/21/92	Meyer			
	5,104,377	4/14/92	Levine			
	4,919,152	4/24/90	Ger			
	4,688,555	8/25/87	Wardle			

FOREIGN PATENT DOCUMENTS

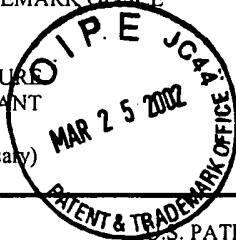
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	0165472A2	12/1985	EPO				
	0165472B1	12/1995	EPO				
	0405250A1	01/1991	EPO				
	0405250B1	01/1991	EPO				
	0412282A1	2/1991	EPO				
	0412282B1	2/1991	EPO				
	2469912	11/1979	France				
	8535164	4/1986	Germany				
	101674	4/1988	Germany				
	736949	5/1980	U.S.S.R.				

EXAMINER

DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO.: 203-589CIP CON FWC CON III	SERIAL NO.: 10/037,977
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		APPLICANTS: David A. Nichols et al.	
		FILING DATE: November 9, 2001	GROUP ART UNIT: Unassigned



U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,672,964	6/16/64	Dee et al.			
	4,646,751	3/3/87	Maslanka			
	4,430,076	2/7/84	Harris			
	4,022,208	5/10/77	Valtchev			
	4,000,743	1/4/77	Weaver			
	3,877,433	4/15/75	Librach			
	3,667,474	6/6/72	Lapkin et al.			
	3,314,431	4/18/67	R. M. Smith, Jr.			
	3,144,020	8/11/64	F. G. Zingale			
	2,028,635	1/21/36	F. C. Wappler			
	1,620,828	3/15/27	M. Molony			
	1,127,948	2/9/15	R. H. Wappler			

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO
1360708A1	12/1987	U.S.S.R.				
980703	12/82	U.S.S.R.				
990220	1/1983	U.S.S.R.				

EXAMINER	DATE CONSIDERED
----------	-----------------

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.